

REMARKS

Claims 11-14 and 23-30 are pending in the instant application. Claims 11-14 and 25 have been amended, Claims 1-10 and 15-22 have been cancelled and new Claims 26-30 are submitted for consideration by the Examiner. Applicants respectfully request reconsideration and allowance of the instant application.

Applicants believe that the Amendment overcomes the rejections under 35 U.S.C. 112. Applicants request withdrawal of this rejection.

The rejection of Claims 11-14 and 23-25 under 35 U.S.C. 103(a) as being unpatentable over Hanley IV et al. (U.S.P.N. 5,373,027) or Hanley IV et al. (U.S.P.N. 5,266,133) alone or taken with Cheng et al. (U.S.P.N. 4,745,015), Beizerman (U.S.P.N. 5,307,985) or Bodeman et al. (U.S.P.N. 4,250,997), is respectfully traversed.

As recognized in the Office Action, the primary references fail to disclose the configuration of the claimed sealant. Indeed the primary references teach away from a sealant having portions extending along an exterior surface of the member to be sealed. Hanley discloses a sealant that is placed within a cavity (not exterior to the cavity—refer to Col. 1, Lines 12-15, Col. 2, Lines 45-49, and Col. 13, Lines 1-2 of Hanley '027). Consequently, Hanley '027 or '133 cannot establish a *prima facie* case of obviousness against the pending claims.

The deficiencies of Hanley are not remedied by the disclosure of Cheng, Beizerman or Bodeman. None of these references relate to the automotive sealants disclosed by Hanley. Note that Hanley, Cheng, Beizerman and Bodeman are classified in differing classes and subclasses. A skilled person in this art would not consider the vacuum panel of Cheng, the vacuum-sealed container of Beizerman or the pharmaceutical capsule of Bodeman as having any relationship to an automotive sealant. Applicants, therefore, respectfully submit that Cheng, Beizerman and Bodeman are non-analogous art to Hanley. Accordingly, a skilled person in this art would lack the requisite motivation to combine these references. For these reasons, the applied references taken alone or in combination fail to render the claimed invention obvious under 35 U.S.C. 103.

The Office Action indicates that there are no "objective values" attributed to the claimed protuberances (it is noted that no rejection under 35 U.S.C. 112 was given with respect to the protuberances). Unlike the applied references, the instant invention can provide a composition (e.g., automotive sealant) that seals the cavity as well as areas adjacent to the sealed cavity. The instant sealant can comprise an expandable composition having a shape such that a portion of the composition serves to locate the sealant within the member/cavity to be sealed (which also expands when sufficiently heated) and other portion(s) that seal adjacent areas.

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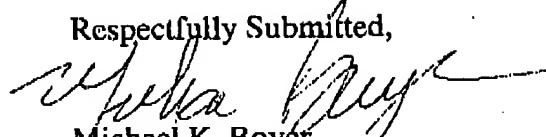
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Please find attached hereto a Supplemental Information Disclosure Statement. This Statement contains a copy of recently issued U.S. Patent No. 6,575,526 B2.

Applicants believe that the pending claims define patentable subject matter and respectfully request issuance of a Notice of Allowability for the instant application. Please find attached hereto a Two Month Extension of Time. Should there be any other fee due in connection with this application, please charge the same to Deposit Account No. 15-0680 (Orscheln Management Co.). Should the Examiner deem that any further action on the part of Applicants would advance prosecution of this application, the Examiner is invited to telephone Applicants' attorney.

Respectfully Submitted,


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Encl.: Petition for a Two Month Extension of Time
Certificate of Facsimile Transmission Dated: June 16, 2003
Information Disclosure Statement